

Message Text

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ACTION L-03

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FM AMEMBASSY THE HAGUE
TO SECSTATE WASHDC 1649

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E.O. 11652: N/A
TAGS: PDIP, SOCI, NL
SUBJECT: EXTRADITION TREATY - THE NETHERLANDS

REF: STATE 214993

1. EMBOFFS SPOKE WITH HEAD OF MFA GENERAL AFFAIRS DIVISION SIMONS AND OTHER MFA OFFICIALS CONCERNING THE POSSIBILITIES OF NEGOTIATING A NEW EXTRADITION AGREEMENT OR AMENDING THE 1887 EXTRADITION CONVENTION BETWEEN U.S. AND THE NETHERLANDS TO INCLUDE DRUG-RELATED OFFENSES. AT THE MOMENT IT APPEARS THAT THE MINISTRIES WHICH WOULD BE CONCERNED WITH NARCOTICS-RELATED EXTRADITION (JUSTICE, HEALTH, AND FOREIGN AFFAIRS) WILL ALL BE CHANGING HANDS WITH THE INSTALLATION OF A NEW GOVERNMENT IN A WEEK OR SO. MFA ADVISES US TO WAIT UNTIL JANUARY 1978 TO LET THE NEW GOVERNMENT TAKE ITS BEARINGS. IT WOULD THEN BE PROPITIOUS TO SUBMIT A NOTE REFERRING TO THE MARCH 12, 1976 EMBASSY NOTE PROPOSING LANGUAGE FOR AMENDMENT OF THE 1887 CONVENTION, AND EXPRESSING USG PREFERENCE WITH RESPECT TO SEVERAL POSSIBILITIES. SIMONS OUTLINED THE POSSIBILITIES AS FOLLOWS:

A. GON ACCESSION TO THE SINGLE CONVENTION ON NARCOTIC DRUGS (1961);

B. GON ACCESSION TO THE CONVENTION ON PSYCHOTROPIC SUBSTANCES
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(1971);

C. AMENDMENT OF 1887 CONVENTION ON EXTRADITION BETWEEN THE NETHERLANDS AND U.S.;

D. CONCLUSION OF A NEW EXTRADITION AGREEMENT.

2. EMBASSY AGREES THAT WE HAVE NO ALTERNATIVE OTHER THAN TO WAIT UNTIL THE NEW DUTCH GOVERNMENT IS FINALLY SELECTED AND SETTLED IN. ACCORDING TO ONE WORKING LEVEL JUSTICE MINISTRY OFFICIAL, A NEW EXTRADITION AGREEMENT IS PREFERABLE TO GON AND HOPEFULLY WOULD INCLUDE PROVISIONS CONCERNING MUTUAL ASSISTANCE MATTERS SUCH AS SEARCH AND SEIZURE, DOCUMENTS, AND MINOR JUDICIAL ASSISTANCE.

3. IN THE PAST, MINISTRY OF HEALTH HAS BEEN THE MAJOR STICKING POINT, BUT WE BELIEVE TWO FACTORS COULD ALTER THE MINISTRY'S POSITION: (A) A NEW MINISTER WITH DIFFERENT STANCE REGARDING USE OF NARCOTICS, AND (B) ELIMINATION OF MENTION OF CANNABIS SATAVIS L. FOR THE TIME BEING, MFA WORKING LEVEL DEFERS TO HEALTH AND JUSTICE MINISTRIES REGARDING DESIRABILITY OF FURTHER AGREEMENTS.

4. EMBASSY RECOMMENDS THAT WE WAIT UNTIL JANUARY AS MFA PROPOSES. IN THE INTERIM IT WOULD BE USEFUL TO HAVE DEPARTMENT'S THOUGHTS CONCERNING THE KINDS OF DRUGS TO BE INCLUDED IN ANY NEW EXTRADITION AGREEMENT, AND ALSO TO LEARN WASHINGTON VIEWS WITH RESPECT TO THE VARIOUS POSSIBILITIES OUTLINED IN PARAGRAPH ONE.
MCCLOSKEY

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Disposition Case Number: n/a
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